

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

UNITED STATES OF AMERICA

v.

JAMES LANDRUM

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No. 1:05-mc-67
Edgar/Carter

MEMORANDUM

This Court is in receipt of a *pro se* petition filed by James Landrum ("Landrum") pursuant to 28 U.S.C. § 2254 [Court File No. 2]. Landrum is in federal custody, serving a federal sentence, and the petition attacks a federal conviction. On January 31, 2006, the Court directed Landrum to notify this Court within thirty days from the date of its order if he did not wish to have the document he filed characterized as a § 2255 motion [Court File No. 1]. Additionally, Landrum was directed to file a proper motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 within thirty days from the date of the Order if his intent was to file a § 2255 motion. Landrum failed to respond to the Court's order.

On March 28, 2006, this Court ordered Landrum to show cause why this action should not be dismissed since he had failed to respond to the Court's previous order [Court File No. 3]. Landrum has failed to respond to this Court's show cause order.

Accordingly, this action will be **DISMISSED** for plaintiff's failure to prosecute and to comply with the orders of this Court. Fed. R. Civ. P. 41(b); *Jourdan v. Jabe*, 951 F.2d 108 (6th Cir. 1991).

An order will enter.

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE